

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

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In re:

03-MDL-1570 (GBD)(SN)

**TERRORIST ATTACKS ON
SEPTEMBER 11, 2001**

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GERARD PATRICK AHEARN,

KRISTEN MARY AHEARN,

WILLIAM ROBERT AHEARN,

ALFRED JOSEPH ALBRIZIO III,

CATHERINE ALBRIZIO,

CHRISTIAN ALBRIZIO,

ALEXA BURCHIANTI,

NICOLE S. CAROLLO,

AMANDA COYNE,

JUDITH COYNE,

**JUDITH COYNE, as Representative of the Estate of
RONALD THOMAS COYNE, Deceased,**

SUZANNE MATIE DELLARATTA,

TRACY DIMARCO,

MARY ELIZABETH FERGUSON,

**MARY ELIZABETH FERGUSON, as Representative of
the Estate of CHARLES FERGUSON, Deceased,**

CHRISTOPHER FLEGAR,

VALERIE FLEGAR,

AMANDA FUGEL,

ANGELA FUGEL,

PAUL B. GARIPOLI,

**PAUL B. GARIPOLI, as Representative of the Estate of
CHRISTINE NOELLE GARIPOLI, Deceased,**

BIRLA ELIZABETH GONZALEZ,

**BIRLA ELIZABETH GONZALEZ, as Representative of
the Estate of FERNANDO AUGUSTO GONZALEZ,
Deceased,**

FERNANDO DAR'THANIAN GONZALEZ,

STORM BIRLA GONZALEZ,

JENNIFER LYNN GREEN,

JEANNE GREISMAN,

CAROLINE HALPIN,

JAMES HALPIN,

JOHN C. HALPIN,

**JOHN C. HALPIN, as Representative of the Estate of
JOHN JAMES HALPIN, Deceased,**

MARILYN HALPIN,

ADRIENNE MARSHALL,

**ADRIENNE MARSHALL, as Representative of the
Estate of JAMES J. MARSHALL, Deceased,**

JAMES J. MARSHALL, JR.,

THOMAS F. MARSHALL,

VINCENT P. MARSHALL,

MARGARET MCMAHON,

JOAN ELIZABETH MUNRO,

**JOAN ELIZABETH MUNRO, as Representative of the
Estate of JAMES BRONSON MUNRO, Deceased,**

BARBARA MUNRO-GARCIA,

KATHLEEN NEGRI,

**KATHLEEN NEGRI, as Representative of the Estate of
ROBERT DANIEL NEGRI, JR., Deceased,**

ROBERT DANIEL NEGRI III,

SAMANTHA JOAN NEGRI,

VINCENT PATRICK NEGRI,

MICHAEL PETER NORFORT, JR.,

JOHN M. ORGAN,

**JOHN M. ORGAN, as Representative of the Estate of
DENNIS M. ORGAN, Deceased,**

VIRGINIA O'SHAUGHNESSY,

CRAIG S. PHILLIPS,

DEBRA L. PHILLIPS,

**DEBRA L. PHILLIPS, as Representative of the Estate of
STEPHEN E. PHILLIPS, Deceased,**

PAULINE J. PICONE,

FRANK PROVINO,

JOANNE PROVINO,

SHANNON REYNOLDS,

**SHANNON REYNOLDS, as Representative of the Estate
of MARY ELIZABETH REYNOLDS, Deceased,**

SUZANNE REYNOLDS,

ROBIN ROSSI,

FORTUNATE SCHULZ,

**FORTUNATE SCHULZ, as Representative of the Estate
of RICHARD A. DELLACONA, Deceased,**

BARBARA SCOBLIC,

STEPHEN WILLIAM SCOBLIC,

GEBRAELA SHELDON,

**GEBRAELA SHELDON, as Representative of the Estate
of WILLIAM SHELDON, Deceased,**

CHRISTINE VETTER,

TAJ WILLIAM WHITE,

DEBORA WHITE-NORFORT,

**DEBORA WHITE-NORFORT, as Representative of the
Estate of MICHAEL PETER NORFORT, Deceased,**

Plaintiffs,

-against-

ISLAMIC REPUBLIC OF IRAN

Defendant.

**IRAN SHORT FORM
COMPLAINT AND
DEMAND
FOR TRIAL BY JURY**

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Plaintiffs named herein by and through the undersigned counsel file this Short Form Complaint against Defendant, the Islamic Republic of Iran (“Iran”), arising out of the September 11, 2001 terrorist attacks (“September 11, 2001 Terrorist Attacks”), as permitted and approved by the Court’s Order of October 28, 2019, ECF No. 5234. Each Plaintiff incorporates by

reference the specific allegations, as indicated below, of (a) the Federal Insurance and Ashton Plaintiffs' Amended Consolidated Complaint Against Defendant, the Islamic Republic of Iran, ECF No. 3237, or (b) the Amended Complaint, Burnett v. Islamic Republic of Iran, No. 15-CV-9903 (GBD)(SN) (S.D.N.Y. Feb. 8, 2016), ECF No. 53.

Upon filing this Iran Short Form Complaint, each Plaintiff is deemed to have adopted all factual and jurisdictional allegations of the complaint that has been joined as specified below; all causes of action contained within that complaint; all prior filings in connection with that complaint; and all prior Orders and rulings of the Court in connection with that complaint.

Additionally, each Plaintiff incorporates the factual allegations and findings contained in those pleadings and orders filed at Havlish v. Bin Laden, No. 1:03-CV-9848 (GBD)(SN) (S.D.N.Y.), ECF Nos. 263, 294, 295; In re Terrorist Attacks on September 11, 2001, 03-MDL-1570 (GBD)(SN) (S.D.N.Y.), ECF Nos. 2430, 2431, 2432, 2433, 2473, 2515, 2516; and evidence submitted at the proceedings before the Honorable George B. Daniels on December 15, 2011 (ECF No. 2540).

VENUE

1. Venue in this district is proper pursuant to 28 U.S.C. §§ 1391(b)(2) and 1391(f)(1), as a substantial part of the events giving rise to the claims asserted herein occurred in this district. Venue is also proper in this district pursuant to 18 U.S.C. § 2334(a).

JURISDICTION

2. Jurisdiction against the Islamic Republic of Iran is premised on the grounds set forth in the complaints specified below, including but not limited to 28 U.S.C. § 1605(a) (tort exception to the Foreign Sovereign Immunities Act), 28 U.S.C. § 1605A (terrorism exception to the Foreign Sovereign Immunities Act), and 28 U.S.C. § 1605B (Justice Against Sponsors of Terrorism Act).

CAUSES OF ACTION

3. Each Plaintiff hereby adopts and incorporates by reference all factual allegations, jurisdictional allegations, and jury trial demand, including all causes of action against the Islamic Republic of Iran, as set forth in the following complaint:

- ✓ Federal Insurance and Ashton Plaintiffs' Amended Consolidated Complaint Against Defendant, the Islamic Republic of Iran, ECF No. 3237
- Amended Complaint, Burnett v. Islamic Republic of Iran, No. 15-CV-9903 (GBD)(SN) (S.D.N.Y. Feb. 8, 2016), ECF No. 53

4. In addition, each Plaintiff hereby asserts the following additional causes of action:

- Iran Short Form Complaint First Cause of Action to Recover Wrongful Death Damages Pursuant to 28 U.S.C. § 1605B (the Justice Against Sponsors of Terrorism Act or JASTA) and 18 U.S.C. § 2333 *et seq.* (the Anti-Terrorism Act or ATA)

As a factual basis for this cause of action, Plaintiff(s) allege that the allegations set forth in the complaint noted above, as well as the allegations set forth in the Havlish filings noted above, establish that, as set forth herein, the injuries they suffered arose from the September 11, 2001 Terrorist Attacks; Defendant's role in the September 11, 2001 Terrorist Attacks constituted acts of international terrorism that violated state and federal laws pursuant to 18 U.S.C. § 2331; that the September 11, 2001 Terrorist Attacks constituted acts of international terrorism committed, planned or authorized by an organization that had been designated as a foreign terrorist organization under 8 U.S.C. § 1189; that the September 11, 2001 Terrorist Attacks violated state and federal laws pursuant to 18 U.S.C. § 2331; and that Defendant aided and abetted, by knowingly providing substantial assistance, with others and/or conspired with others who committed an act or acts of international terrorism in violation of 18 U.S.C. § 2333 *et seq.*

- Iran Short Form Complaint First Cause of Action to Recover Personal Injury Damages Pursuant to 28 U.S.C. § 1605B (the Justice Against Sponsors of Terrorism Act or JASTA) and 18 U.S.C. § 2333 *et seq.* (the Anti-Terrorism Act or ATA)

As a factual basis for this cause of action, Plaintiff(s) allege that the allegations set forth in the complaint noted above, as well as the allegations set forth in the Havlish filings noted above, establish that, as set forth herein, the injuries they suffered arose from the September 11, 2001 Terrorist Attacks; Defendant's role in the September 11, 2001 Terrorist Attacks constituted acts of international terrorism that violated state and federal laws pursuant to 18 U.S.C. § 2331; that the September 11, 2001 Terrorist Attacks constituted acts of international terrorism committed, planned or authorized by an organization that had been designated as a foreign terrorist organization under 8 U.S.C. § 1189; that the September 11, 2001 Terrorist Attacks violated state and federal laws pursuant to 18 U.S.C. § 2331; and that Defendant aided and abetted, by knowingly providing substantial assistance, with others and/or

conspired with others who committed an act or acts of international terrorism in violation of 18 U.S.C. § 2333 *et seq.*

IDENTIFICATION OF NEW PLAINTIFFS

5. The following allegations and information are alleged on behalf of each individual who is bringing this claim, as indicated on Appendix 1 to this Iran Short Form Complaint, herein referred to as “Plaintiffs.”

- a. The citizenship/nationality of each Plaintiff is indicated at Appendix 1 to this Iran Short Form Complaint.
- b. Plaintiff is entitled to recover damages on the causes of action set forth in the complaint identified above, as joined by this Iran Short Form Complaint, and as further asserted within this Iran Short Form Complaint.
- c. As indicated at Appendix 1, Plaintiff (i) is the estate representative of someone who was killed as a result of the September 11, 2001 Terrorist Attacks; (ii) is the surviving immediate family member of someone who was killed as a result of the September 11, 2001 Terrorist Attacks; and/or (iii) suffered physical injuries as a result of the September 11, 2001 Terrorist Attacks.
- d. For those plaintiffs with personal injury claims, as indicated in Appendix 1, on or after September 11, 2001, said Plaintiff was present at the Pentagon and/or the World Trade Center site and/or its surroundings and/or lower Manhattan and/or at an area wherein he/she was exposed to toxins as a result of the terrorist attacks and was exposed to toxins from the attacks, and/or was otherwise injured, and/or as otherwise alleged, as stated specifically in Appendix 1.
- e. For those plaintiffs with personal injury and/or wrongful death claims, as indicated in Appendix 1, as a direct, proximate and foreseeable result of Defendant’s actions or inactions, Plaintiff or his or her decedent suffered bodily injury and/or death, and consequently economic and other losses, including but not limited to pain and suffering, emotional distress, psychological injuries, and loss of enjoyment of life, and/or as described in the Iran Short Form Complaint, and/or as otherwise may be specified in subsequent discovery proceedings, and/or as otherwise alleged in Appendix 1.
- f. The name, relationship to the injured and/or deceased September 11 victim, residency, citizenship/nationality, and the general nature of the claim for each plaintiff asserting wrongful death and/or solatium claims is listed on the attached Appendix 1, and is incorporated herein as allegations, with all allegations of the related complaints, as specified above, deemed alleged as to

each Plaintiff.

IDENTIFICATION OF THE DEFENDANT

6. The only Defendant named in this Iran Short Form Complaint is the Islamic Republic of Iran.

NO WAIVER OF OTHER CLAIMS

7. By filing this Iran Short Form Complaint, Plaintiff(s) is/are not waiving any right to file suit against any other potential defendants or parties.

8. By filing this Iran Short Form Complaint, Plaintiff(s) are not opting out of any class that the Court may certify in the future.

JURY DEMAND

9. Each Plaintiff hereby demands a trial by jury as to the claims in this action.

WHEREFORE, Plaintiffs pray for relief and judgment against Defendant as set forth in this Iran Short Form Complaint as appropriate.

Dated: January 14, 2020

Respectfully submitted,

/s/ Barry Salzman

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COUNSEL FOR PLAINTIFFS

APPENDIX 1

Each line below is deemed an allegation, incorporating the allegations, language, and references within the Iran Short Form Complaint to which this Appendix 1 is appended and shall be referenced as Allegation 1 of Appendix 1 to the Iran Short Form Complaint, Allegation 2 of Appendix 1 to the Iran Short Form Complaint, etc.

	Plaintiff's Name (alphabetical by last name)	Plaintiff's State of Residency at Filing (or death)	Plaintiff's Citizenship/ Nationality on 9/11/2001	9/11 Decedent's Full Name	Plaintiff's Relationship to 9/11 Decedent	9/11 Decedent's Citizenship/ Nationality on 9/11/2001	Nature of Claim (wrongful death, solatium, personal injury)
1.	Gerard Patrick Ahearn	NY	US	Gerard Anthony Ahearn	Son	US	Solatium
2.	Kristen Mary Ahearn	NY	US	Gerard Anthony Ahearn	Daughter	US	Solatium
3.	William Robert Ahearn	NY	US	Gerard Anthony Ahearn	Son	US	Solatium
4.	Alfred Joseph Albrizio III	NY	US	Alfred Joseph Albrizio, Jr.	Son	US	Solatium
5.	Catherine Albrizio	NY	US	Alfred Joseph Albrizio, Jr.	Wife	US	Solatium
6.	Christian Albrizio	NY	US	Alfred Joseph Albrizio, Jr.	Son	US	Solatium
7.	Alexa Burchianti	NY	US	Alfred Joseph Albrizio, Jr.	Daughter	US	Solatium

8.	Nicole S. Carollo	NC	US	Stephen E. Phillips	Daughter	US	Solatium
9.	Amanda Coyne	NY	US	Ronald Thomas Coyne	Daughter	US	Solatium
10.	Judith Coyne	NY	US	Ronald Thomas Coyne	Wife	US	Solatium
11.	Judith Coyne as Representative of the Estate of Ronald Thomas Coyne	NY	US	Ronald Thomas Coyne	Personal Representative	US	Wrongful Death/Survival Action
12.	Suzanne Matie DellaRatta	NJ	US	Mary Elizabeth Reynolds	Sister	US	Solatium
13.	Tracy DiMarco	NJ	US	Samuel M. Picone	Daughter	US	Solatium
14.	Mary Elizabeth Ferguson	NY	US	Charles Ferguson	Wife	US	Solatium
15.	Mary Elizabeth Ferguson as Representative of the Estate of Charles Ferguson	NY	US	Charles Ferguson	Personal Representative	US	Wrongful Death/Survival Action
16.	Christopher Flegar	NJ	US	Silvano Flegar	Son	US	Solatium
17.	Valerie Flegar	NY	US	Silvano Flegar	Wife	US	Solatium

18.	Amanda Fugel	NJ	US	Joseph Fugel	Daughter	US	Solatium
19.	Angela Fugel	NJ	US	Joseph Fugel	Wife	US	Solatium
20.	Paul B. Garipoli	PA	US	Christine Noelle Garipoli	Husband	US	Solatium
21.	Paul B. Garipoli as Representative of the Estate of Christine Noelle Garipoli	PA	US	Christine Noelle Garipoli	Personal Representative	US	Wrongful Death/Survival Action
22.	Birla Elizabeth Gonzalez	NY	US	Fernando Augusto Gonzalez	Wife	US	Solatium
23.	Birla Elizabeth Gonzalez as Representative of the Estate of Fernando Augusto Gonzalez	FL	US	Fernando Augusto Gonzalez	Personal Representative	US	Wrongful Death/Survival Action
24.	Fernando Dar'thanian Gonzalez	NY	US	Fernando Augusto Gonzalez	Son	US	Solatium
25.	Storm Birla Gonzalez	NY	US	Fernando Augusto Gonzalez	Daughter	US	Solatium
26.	Jennifer Lynn Green	NY	US	James Bronson Munro	Daughter	US	Solatium
27.	Jeanne Greisman	NY	US	Mary Elizabeth Reynolds	Sister	US	Solatium
28.	Caroline Halpin	NY	US	John James Halpin	Daughter	US	Solatium

29.	James Halpin	NY	US	John James Halpin	Son	US	Solatium
30.	John C. Halpin	NY	US	John James Halpin	Son	US	Solatium
31.	John C. Halpin as Representative of the Estate of John James Halpin	NY	US	John James Halpin	Personal Representative	US	Wrongful Death/Survival Action
32.	Marilyn Halpin	NY	US	John James Halpin	Wife	US	Solatium
33.	Adrienne Marshall	NY	US	James J. Marshall, Sr.	Wife	US	Solatium
34.	Adrienne Marshall as Representative of the Estate of James J. Marshall, Sr.	NY	US	James J. Marshall, Sr.	Personal Representative	US	Wrongful Death/Survival Action
35.	James J. Marshall, Jr.	NY	US	James J. Marshall, Sr.	Son	US	Solatium
36.	Thomas F. Marshall	NY	US	James J. Marshall, Sr.	Son	US	Solatium
37.	Vincent P. Marshall	NY	US	James J. Marshall, Sr.	Son	US	Solatium
38.	Margaret McMahon	NY	US	Ronald Thomas Coyne	Sister	US	Solatium
39.	Joan Elizabeth Munro	NY	US	James Bronson Munro	Wife	US	Solatium

40.	Joan Elizabeth Munro as Representative of the Estate of James Bronson Munro	NY	US	James Bronson Munro	Personal Representative	US	Wrongful Death/Survival Action
41.	Barbara Munro-Garcia	NY	US	James Bronson Munro	Daughter	US	Solatium
42.	Kathleen Negri	NY	US	Robert Daniel Negri, Jr.	Wife	US	Solatium
43.	Kathleen Negri as Representative of the Estate of Robert Daniel Negri, Jr.	NY	US	Robert Daniel Negri, Jr.	Personal Representative	US	Wrongful Death/Survival Action
44.	Robert Daniel Negri III	NY	US	Robert Daniel Negri, Jr.	Son	US	Solatium
45.	Samantha Joan Negri	NY	US	Robert Daniel Negri, Jr.	Daughter	US	Solatium
46.	Vincent Patrick Negri	NY	US	Robert Daniel Negri, Jr.	Son	US	Solatium
47.	Michael Peter Norfort Jr.	NY	US	Michael Peter Norfort	Son	US	Solatium
48.	John M. Organ	NY	US	Dennis M. Organ	Son	US	Solatium
49.	John M. Organ as Representative of the Estate of Dennis M. Organ	NY	US	Dennis M. Organ	Personal Representative	US	Wrongful Death/Survival Action
50.	Virginia O'Shaughnessy	NY	US	John James Halpin	Daughter	US	Solatium

51.	Craig S. Phillips	NC	US	Stephen E. Phillips	Son	US	Solatium
52.	Debra L. Phillips	SC	US	Stephen E. Phillips	Wife	US	Solatium
53.	Debra L. Phillips as Representative of the Estate of Stephen E. Phillips	SC	US	Stephen E. Phillips	Personal Representative	US	Wrongful Death/Survival Action
54.	Pauline J. Picone	NJ	US	Samuel M. Picone	Wife	US	Solatium
55.	Frank Provino	NY	US	Christine Noelle Garipoli	Father	US	Solatium
56.	Joanne Provino	NY	US	Christine Noelle Garipoli	Mother	US	Solatium
57.	Shannon Reynolds	NY	US	Mary Elizabeth Reynolds	Daughter	US	Solatium
58.	Shannon Reynolds as Representative of the Estate of Mary Elizabeth Reynolds	NY	US	Mary Elizabeth Reynolds	Personal Representative	US	Wrongful Death/Survival Action
59.	Suzanne Reynolds	NY	US	Mary Elizabeth Reynolds	Mother	US	Solatium
60.	Robin Rossi	NY	US	Robert Carlo Rossi	Son	US	Solatium
61.	Fortunate Schulz	NY	US	Richard A. Dellacona	Wife	US	Solatium

62.	Fortunate Schulz as Representative of the Estate of Richard A. Dellacona	NY	US	Richard A. Dellacona	Personal Representative	US	Wrongful Death/Survival Action
63.	Barbara Scoblic	NY	US	Joseph M. Scoblic	Wife	US	Solatium
64.	Stephen William Scoblic	NY	US	Joseph M. Scoblic	Son	US	Solatium
65.	Gebraela Sheldon	FL	US	William Sheldon	Wife	US	Solatium
66.	Gebraela Sheldon as Representative of the Estate of William Sheldon	VA	US	William Sheldon	Personal Representative	US	Wrongful Death/Survival Action
67.	Christine Vetter	NY	US	James Bronson Munro	Daughter	US	Solatium
68.	Taj William White	NY	US	William Peter Norfort	Son	US	Solatium
69.	Debora White-Norfort	NY	US	Michael Peter Norfort	Wife	US	Solatium
70.	Debora White-Norfort as Representative of the Estate of Michael Peter Norfort	NY	US	Michael Peter Norfort	Personal Representative	US	Wrongful Death/Survival Action